

**MINUTES
CITY OF ST. CHARLES, IL
GOVERNMENT OPERATIONS COMMITTEE
MONDAY, NOVEMBER 7, 2011**

Members Present: Chair. Martin, Ald. Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Krieger, Bessner, and Lewis

Members Absent: Bessner

Others Present: Chris Aiston, Chris Minick, Peggy Forster, Chief Lamkin, Kathy Livernois, Rita Tungare, Mark Koenen, Ass't Fire Chief Schelstreet, and Brian Townsend

1. Opening of Meeting

The meeting was convened by Chair. Martin at 7:24 p.m.

2. Omnibus Vote

None

3. Mayor's Office

- a. Recommend approval of a Class B1 liquor license for Poblano Peppers Grill Restaurant to be located at 3677 E Main Street, St. Charles.**

Mayor DeWitte: Before you is an application for a B1 restaurant liquor license for Mr. Ruben Alonso for Poblano Peppers Grill located at 3677 E Main Street. The application has been completed and background check has been done. I will note for the Committee's information that his hours of operation are Monday through Thursday 11:00 a.m. – 9:00 p.m. and Fridays/Saturdays 11:00 a.m. – 10:00 p.m. His BASSET certification is still pending but as is normal practice, his license will not be issued until the packet is complete. I would ask for favorable approval of this license.

Motion by Stellato, second by Monken to approve a Class B1 liquor license for Poblano Peppers Grill Restaurant to be located at 3677 E Main Street, St. Charles.

Voice vote: unanimous; Nays: None; Absent: Bessner. Chair. Martin did not vote as Chair. **Motion carried.**

4. Engineering Department

- a. Recommend approval for Change Order No. 1 for the IL Route 25 resurfacing project in an amount not to exceed \$27,442.11.**

Jim Bernahl: In 2010 the City was awarded an Emergency Repair Program from Representative Timothy Schmitz and in working with IDOT and receiving favorable bids, we did not expedite all those funds that we received. So we worked with IDOT to try to

expand the project which is IL Rt. 25 from Marion to Park Avenue. The limits got extended within that project, so this is more of a formality of the regional contract. We are looking to extend a change order to utilize the unused grant funds for an amount not to exceed \$27,442.11.

Motion by Carrignan, second by Monken to approve Change Order No. 1 for the IL Route 25 resurfacing project in an amount not to exceed \$27,442.11.

Voice vote: unanimous; Nays: None; Absent: Bessner. Chair. Martin did not vote as Chair. **Motion carried.**

5. Information Systems Department

- a. Recommend waiving the bid procedure and purchase replacement squad car laptops for the Police Department from CDS Office Technologies.**

Paul Anthoney: This is a routine replacement. The laptops that are currently in the cars have reached the end of their use life. It is budgeted and we put in money each year in anticipation for these replacements, so we are simply asking for the approval of the bid waiver. This is on a government contract.

Ald. Turner: How old are the laptops in the squad cars?

Paul: They are four years old now and actually one of the items you see on there is we are adding an additional year warranty to get a full 4-year warranty. They come with a 3-year warranty. It's very harsh conditions in the cars and we've had a very high failure rate in the fourth years, so the Police Department is anxiously awaiting these replacements at this point.

Ald. Lewis: What happens to the old ones – are they junked, do you sell them?

Paul: There may be some residual value. It's hard to tell until we get them out and can evaluate them. There are a lot of broken screens, lots of malfunctioning pieces and parts; so we'll try, but are not quite sure what that value is going to be.

Motion by Carrignan, second by Stellato to waive the bid procedure and purchase replacement squad car laptops for the Police Department from CDS Office Technologies.

Voice vote: unanimous; Nays: None; Absent: Bessner. Chair. Martin did not vote as Chair. **Motion carried.**

6. Police Department

- a. Recommend approval of an Ordinance Amending the Municipal Code of the City of St. Charles – Title 9 “Public Peace, Morals, and Welfare” – adding a new Chapter 9.49 “Synthetic Alternative Drugs.”**

Chief Lamkin: I have an ordinance drafted by our attorneys to impose the ability to not have synthetic alternative drugs for sale in the City. Earlier this year we started to see some incidences that came to our attention. They came to us by people who were overdose or extremely sick. A lot of times there were ambulance calls. What we learned from that is that there were items that are marketed many times as incense or potpourri, or of some nature like that, in a small quantity, but they carry the various chemical compounds that would be consistent with other types of legal drugs. As the year went on we had hoped to have seen some additional legislation come from a larger authority, but that hasn't occurred yet, but at this point it is getting more attention. But in the absence of that we would like to ban this from being sold or possessed in the City of St. Charles. As recent as this past weekend we had another one of these incidents where the stuff was used. Our hope is that by passing an ordinance this stuff will no longer be available and be on the shelves in some of the stores in St. Charles.

Ald. Rogina: There is no power by the state or federal government to prosecute this at this point in time?

Chief Lamkin: Not that we are aware of. Because of the makeup of these items, they are marketed as something that has a different form of use that would be completely legal. We have tried to get some of the stores to remove these items, but if you recall a year ago, we had product out there called "K2." K2 became very common and that was another type of substance that was ultimately banned in January. After that law came into effect, we went out on some of our normal checks to see if that have been pulled from the shelves, which it was. But we started seeing some of these other products appearing and as the years have gone on, there are certain types of stores that tend to have it more than others, which are outlined in the packet, but our goal is to remove it from the shelves at least locally. I realize there is a larger ban on this stuff and may still be available in other towns. Some of the towns have started to pass ordinances similar to this and I think that will continue to catch on.

Ald. Rogina: As I read the briefing here, it tends to be a violation of the City ordinance then the maximum penalty will be a fine. There would be no incarceration?

Chief Lamkin: Atty. Good, in drafting this, has left that option open to us to charge it as a felony or charge it as a misdemeanor, or charge it as a local ordinance. One of the provisions, as I understand it, is charging it as a local ordinance, for example, if it was a place that sold liquor also and it was charged as a violation of the local ordinance, that place's liquor license could also be on the line because it violated a different ordinance in the City. There is kind of a tie-in benefit to that. Not necessarily the fine will have the impact, but the greater impact of what they could be putting on the line is there. Quite honestly some of the liquor places that sell liquor have chosen to put some of this behind their counters.

Ald. Turner: When will this go into effect?

Chief Lamkin: We will have to bring it back to City Council for final approval. We are trying to get some verification on some of these compounds. We are trying to validate some of these compounds. As you can see in the ordinance there is quite a chemical makeup there. We want to make sure what we have is the correct makeup in the event it would have to go to the lab; so we'll get it into effect as soon as we can.

Motion by Krieger, second by Stellato to approve an Ordinance Amending the Municipal Code of the City of St. Charles – Title 9 “Public Peace, Morals, and Welfare” – adding a new Chapter 9.49 “Synthetic Alternative Drugs.”

Voice vote: unanimous; Nays: None; Absent: Bessner. Chair. Martin did not vote as Chair. **Motion carried.**

7. Fire Department

- a. **Recommend approval of a Resolution Authorizing the Mayor and City Clerk of the City of St. Charles to Execute an Agreement – JDB Investment Group LLC (Hotel Baker).**

Ass't. Fire Chief Schelstreet: This is a request for an approval of an agreement between the City and the Hotel Baker. The Fire Department desires to have some anchor plates installed on the river wall as part of the Hotel Baker. When our riverwall was installed, Bulley Andrews replaced four plates for us at that time. The reason for these plates are so if we had a dam face rescue, someone falls into the water and gets trapped in the boil, we could extend rope lines and have a more secure way of rescuing somebody. The hotel is agreeable and we would like to execute the agreement.

Motion by Carrignan, second by Stellato to approve a Resolution Authorizing the Mayor and City Clerk of the City of St. Charles to Execute an Agreement – JDB Investment Group LLC (Hotel Baker).

Voice vote: unanimous; Nays: None; Absent: Bessner. Chair. Martin did not vote as Chair. **Motion carried.**

8. Finance Department

- a. **Recommend approval of the estimated 2011 Property Tax Levy in the amount of \$21,765,031.**

Chris Minick: We are seeking a motion to approve the preliminary estimate of the 2011 tax levy in the amount of \$21,765,031. Each year the City sets a property tax levy and part of that process involves devising a preliminary estimate for the upcoming year that becomes the basis for the required notifications and publications of the Public Hearing that we hold each year in December. This estimate does not obligate us to levy taxes in this amount nor in any specific amount. The levy will be set with the passage of an ordinance after the Public Hearing process has concluded in December.

The levy is comprised of three main components: operational levy, debt service levy, and a special service levy. The operating levy is the portion of the tax levy that the City Council has the most discretionary control over and we are holding that amount consistent approximately \$12M for the third straight year. Again, the operational amount has not changed since 2009 tax levy. The debt service levy has increased due to some increasing debt service payments; however, the City typically debates or removes the debt service levy from the property tax bills that our residents see and it is paid through the general revenue stream not the property tax stream. It is staff's intent that we would recommend that this would happen again this year and that would take place in 2012. The special service amounts are decreasing slightly due to some property disconnections from out downtown Special Service Area 1B. We are anticipating that the EAV or the taxable value of the property within the City will decrease by approximately 4-1/2% for the 2011 tax levy. Staff will make a more detailed presentation at the December 5 Public Hearing tax levy process and we need to set the amount for publication notices for that Public Hearing.

Motion by Carrignan, second by Monken to recommend approval of the estimated 2011 Property Tax Levy in the amount of \$21,765,031.

Voice vote: unanimous; Nays: None; Absent: Bessner. Chair. Martin did not vote as Chair. **Motion carried.**

b. Recommend approval to authorize the Finance Director to execute the risk insurance program renewal.

Chris Minick: Staff is seeking a motion to execute the risk package insurance renewal in the amount of \$617,486 and it is a budgeted item. This risk package insurance renewal will be effective beginning December 1, 2011. This package includes general and excess reliability policies, property and automobile coverage as well as excess limits on our Workers' Compensation policy. At this point in time we are not recommending any changes to either of our insurance company providers or coverage limits or deductibles. Those will all be the same and consistent as we have with the current risk insurance package. We are anticipating a premium increase of approximately \$11K which equates to about 1.9% over the current amount. In conjunction with our risk insurance consultant from Wine Sergi of St. Charles, we did solicit quotes from various vendors for the various lines of insurance that we need. We did determine after an evaluation of those proposals that the current package is the most cost effective. We did have opportunities to make some changes, but it did not make sense as they resulted in higher deductibles, higher premiums or in some cases both. Staff is recommending approval of the insurance package as presented.

Ald. Stellato: Good job on the workers' comp and the only reason that goes down is because we keep it safe.

Chris: It's mainly generated by experience and in particular that one while we are self-insured for the first major portion of the claim, the claim history has been very good.

Motion by Carrignan, second by Monken to recommend approval to authorize the Finance Director to execute the risk insurance program renewal.

Voice vote: unanimous; Nays: None; Absent: Bessner. Chair. Martin did not vote as Chair. **Motion carried.**

9. **Additional Items** - None

10. **Adjournment**

Motion by Carrignan second by Stellato to adjourn meeting at 7:39 p.m.

Voice vote: unanimous; Nays: None. Chair. Martin did not vote as Chair. **Motion carried.**

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